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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,046	05/31/2001	Philip Shafer	1014-006US01	9030
28863	7590	07/19/2005	EXAMINER	
SHUMAKER & SIEFFERT, P. A. 8425 SEASONS PARKWAY SUITE 105 ST. PAUL, MN 55125			TIV, BACKHEAN	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/871,046	Applicant(s) SHAFFER, PHILIP	
	Examiner Backhean Tiv	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.  
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-42 is/are rejected.  
 7) ☐ Claim(s) 1-33 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_  
 4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) ☐ Notice of Informal Patent Application (PTO-152)  
 6) ☐ Other: \_\_\_\_\_

***Detailed Action***

Claims 1-42 are pending in this application. This is a response to the amendment filed on 3/21/05.

***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-5,10,12-16,21,23-27,32,34-39 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3-7,11 of copending Application No. 09/871,458 in view of US Patent 6,640,241 issued to Ozzie et al.(Ozzie). This is a provisional obviousness-type double patenting rejection.

Claims 1 and 3 of copending Application No. 09/871,458 recites all the limitations of claims 1,12,23,34-39 of this application except for the limitation of the management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format.

Ozzie teaches management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format(col.10, lines 23-45).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the method of application 09/871,458 to add the management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format as taught by Ozzie in order to display data(Ozzie, col.10, lines 33-36).

One of ordinary skilled in the art at the time of the invention would have been motivated to combine application 09/871,458 and Ozzie to coordinate and maintain data pursuant to a data model(Ozzie, col.1, lines 23-27).

Claim 4 of copending application 09/871,458 recites all the limitation of claims 2,13,24 of this application.

Claim 5 of copending application 09/871,458 recites all the limitation of claims 3,14,25 of this application.

Claim 6 of copending application 09/871,458 recites all the limitation of claims 4,15,26 of this application.

Claim 7 of copending application 09/871,458 recites all the limitation of claims 5,16,27of this application.

Claim 11 of copending application 09/871,458 recites all the limitation of claims 10,21,32 of this application.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,212,559 issued to Bixler et al.(Bixler) in view of US Patent 6,510,434 issued to Anderson et al.(Anderson) in further view of US Patent 6,640,241 issued to Ozzie et al.(Ozzie).

As per claim 34,35,36,37,38,39 Bixler teaches system comprising:  
a client interface to transmit configuration requests and operational requests(col.3, lines 42-67) to a network router, and wherein the client interface receives replies from the network router(Fig.3B, elements 64,68); and a management server module of the network router (Fig.4-18B); accessing a schema that maps the tags to configuration and operational information associated with a chassis module, a device configuration module, and a routing protocol module running on a network router(Fig.4-18B,col.2,line34-col.4,line30); accessing the information associated with the software modules(col.2,line34-col.4,line30); emitting replies according to the schema(Figs.1-18B,col.5, line23-col.6, line 54 ).

However, Bixler does not explicitly teach, using extensible markup language tags.

Anderson teaches using extensible markup language tags(Abstract).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the system of Bixler to using extensible markup language tags as taught by Anderson in order to locate desired information(Anderson, col.2, lines 35-39).

One of ordinary skilled in the art at the time of the invention would have been motivated to combine Bixler and Anderson to provide a system to locate information more easily(Anderson, col.1, lines 24-67).

Bixler in view of Anderson however does not explicitly teach emitting replies to the client interface for presentation to a user in either a rendered or unrendered form in response to a selection made by the user.

Ozzie teaches emitting replies to the client interface for presentation to a user in either a rendered or unrendered form in response to a selection made by the user(col.10, lines 21-46).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Bixler in view of Anderson to add the management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format as taught by Ozzie in order to display data(Ozzie, col.10, lines 33-36).

One of ordinary skilled in the art at the time of the invention would have been motivated to combine Bixler, Anderson, Ozzie to coordinate and maintain data pursuant to a data model(Ozzie, col.1, lines 23-27).

Claims 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,212,559 issued to Bixler et al.(Bixler) in view of US Patent 6,510,434 issued to Anderson et al.(Anderson) in further view of US Patent 6,640,241 issued to Ozzie et al.(Ozzie) in further view of US Patent 6,635,089 issued to Burkett et al.(Burkett).

Bixler in view of Anderson in further view of Ozzie teaches all the limitations of claims 34 and 35, and further teaches wherein the client interface presents the replies in rendered form by displaying text or graphics without displaying the extensible markup language tags used to encode the replies(Bixler, Figs.4-18A), however does not teach to not render the encoded replies that follows the instruction and presents the encoded replies in unrendered form by displaying raw output that displays both the replies and the extensible markup language tags used to encode the replies.

Burkett teaches to not render the encoded replies that follows the instruction and presents the encoded replies in unrendered form by displaying raw output that displays both the replies and the extensible markup language tags used to encode the replies(Fig. 3A-7A, col.11, lines 1-67).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the teachings of Bixler in view of Anderson in further view of Ozzie to not render the encoded replies that follows the instruction and presents the encoded replies in unrendered form by displaying raw output that displays both the replies and the extensible markup language tags used to encode the replies as taught

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by Burkett in order to define the semantics and content of data encoded in a file(Burkett, col2, lines 20-25).

One ordinary skilled in the art at the time of the invention would have been motivated to combine the teachings of Bixler, Anderson, Ozzie, and Burkett to provide a method to define the semantics and content of data encoded in a file to build a directory service(Burkett, col2, lines 20-67).

### ***Allowable Subject Matter***

Claims 1-33 are objected to as being allowable if the double patent rejection is overcome.

The following is a statement of reasons for the indication of allowable subject matter:

None of the cited prior art discloses the combination together as a whole system of a network router management interface comprising:  
a client interface that receives, from a network router client, configuration requests and operational requests encoded with extensible markup language tags; a storage device storing a network management interface schema that maps the extensible markup language tags to configuration and operational information associated with software modules running on a network router, the software modules including a chassis software module that defines an inventory of components in the network router chassis, a device configuration software module that defines a physical configuration of the network router, and a routing protocol module that administers protocols supported by



the network router; a management server software module that parses the configuration requests and the operational requests received at the client interface and accesses the corresponding configuration and operational information associated with the chassis software module, the device configuration software module, and the routing control software module according to the network management interface schema, and emits to the client interface replies encoded with extensible markup language tags according to the network management interface schema, wherein the management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format.

### ***Response to Arguments***

Examiner withdraws all 112 2<sup>nd</sup> and specification objection due to applicant's amendments.

Applicant's arguments filed 3/21/05, as per claims 1-5, 10,12-16, 23-27, 32, 34-39, have been fully considered but they are not persuasive.

The applicant argues as per claims 1-5, 10,12-16, 23-27, 32, 34-39 that Ozzie does not teach a management server module, in response to a selection made by a user, emits the replies for presentation in either a rendered or unrendered format. The examiner disagrees, Ozzie, Abstract, col.10, lines 23-45, teaches a controller module(management server module) that is responsive to a locally initiated event (selection made by a user) and displays the data so that the current data can be viewed by a user(emits replies for presentation in either a rendered or unrendered format).

Applicant's arguments with respect to claims 39-41 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571)272-3941. The examiner can normally be reached on 9 A.M.-12 P.M. and 1 -6 P.M. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.***

BT  
Backhean Tiv  
2151  
7/13/05

  
ZARNI MAUNG  
SUPERVISORY PATENT EXAMINER